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1 BY MS. SCARDINO:

2 Q. Mr. Sears, you stated that KPMG was directed
3 to use the New York carrier-to-carrier performance
4 metrics and that, to the best of your knowledge,
5 that those metrics don't include DSL.

6 A. [SEARS] I don't believe they include DSL as
7 of the date we were ordered to use them. (Pause.)

8 I'm informed that I have misspoken. In
9 fact there is a metric for two-wire DSL performance,
10 that we do validate, but because we don't do
11 transaction tests, we did not report it in detail in
12 our report. So we have validated the metric; we
13 just did not provide -- and there's no transactions.

14 Q. Just one metric?

15 A. [FOSTER] There's one that I can of off the
16 top of my head. We'd have to look at the C2C
17 guidelines.

18 Q. So what was the date of the carrier-to-
19 carrier guidelines that you used -- the New York
20 carrier-to-carrier guidelines that you used? What
21 was the date of those guidelines?

22 A. [DELLATORRE] February 28, 2000.

23 Q. Are you aware that Bell Atlantic does indeed
24 report its performance on numerous DSL metrics in

1 July data as well.

2 Q. So you replicated Bell Atlantic July data?

3 A. [SEARS] Yes.

4 Q. All of the data?

5 A. [FOSTER] Just for preordering and
6 provisioning.

7 Q. Within the July provisioning data, did you
8 notice that there was DSL -- two-wire DSL
9 performance metrics with data in the July report?
10 (Pause.)

11 A. [SEARS] I'm actually sitting here looking
12 on line at the June report, and there are a
13 significant number of two-wire xDSL services
14 metrics, including average interval offered, average
15 completed interval, missed appointments, facility
16 missed orders, and installation quality metrics
17 reported. In fact, there are 14 individual metrics
18 where Bell Atlantic reports performance, the number
19 of observations, and some statistical information.

20 Q. And do you also see that under maintenance
21 and repair there's also data for two-wire xDSL
22 services? It looks like they're about the same
23 number. It's on Page 11 of 14 of that June data.

24 A. [SEARS] I'm actually having trouble finding

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1 Massachusetts and that they presented data in the
2 271 docket for xDSL two-wire loops?

3 A. [SEARS] I am now after he told me, yes.
4 Yes, we did validate at least one, if not more, xDSL
5 metrics.

6 Q. And what was the reason -- I can state for
7 the record with accuracy that the New York
8 carrier-to-carrier guidelines were in fact modified
9 to include DSL metrics.

10 COMMISSIONER VASINGTON: When? When
11 were they modified?

12 MS. SCARDINO: I believe it was
13 February. That's why I'm puzzled. I believe it was
14 February when those DSL metrics were ordered.

15 MS. KINARD: This is Karen Kinard, from
16 WorldCom. I think your February guidelines document
17 will describe some DSL metrics, missed-appointment
18 ones in particular and manual loop qual and
19 engineering-record provisioning. But you just
20 looked at the December, January, and February data
21 to replicate. So even though they were in the
22 guidelines, I'm not sure that they were reported
23 yet, unless you replicated data after February.

24 WITNESS SEARS: We replicated March and

1 those metrics, but I'll take your representation
2 that they're there.

3 Q. So do you know why KPMG did not replicate
4 the DSL -- the two-wire xDSL services metrics?

5 (Pause.)

6 WITNESS SEARS: Can you repeat Ms.
7 Scardino's last question.

8 (Question read.)

9 A. [SEARS] We did not replicate the two-wire
10 services metrics in our retest because we were
11 retesting those metrics that we had tested for
12 December of 1999 through February of 2000. The xDSL
13 metrics were not available in December through
14 February of 2000. As a consequence, we were looking
15 for fixes in the metrics that we had problems in, so
16 we did not retest -- we did not test the xDSL
17 metrics in March or July, with March or July data.

18 Q. I believe there was testimony that one
19 metric was replicated or --

20 A. [SEARS] No, that was another misstatement.
21 Because these metrics were not available in
22 February, we didn't find any problems with them,
23 they were added and we replicated -- we retested
24 with March and July data only those metrics that

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1 were available in February. The xDSL metrics were
2 not available in February.

3 Q. In the questions that I had submitted,
4 Question 15 deals with the table that's on Page 678
5 of the report. And I had inquired into why two-wire
6 xDSL services weren't included on this table. I
7 assume that the answer is because they weren't --
8 KPMG did not replicate the DSL metrics as part of
9 this evaluation.

10 A. [SEARS] Actually that's not the reason why
11 that's not replicated or not presented on this
12 particular service. This represents only services
13 that we provisioned, and since the xDSL test was
14 based exclusively on CLEC orders, we did not
15 provision any, and as a consequence these -- these
16 tables only represent our transactions. xDSL
17 involved none of our transactions, so they would not
18 be presented here, as a matter of form.

19 Q. Just as a followup to Ms. Reed's questions:
20 Of the two tests in this section that are marked not
21 satisfied, the PMR-1-1-12 and then 1-3-12 --

22 A. [SEARS] Can you give us a page reference?
23 Because we are working with the same document you
24 are.

1 Q. Do you make that judgment based upon where
2 you are now with the evaluation, or would you also
3 make that same judgment at the beginning of the
4 test, where initially when you were testing and you
5 had uncovered problems with the testing? Were you
6 certain at that point as well?

7 Actually, let me strike that question
8 and rephrase it, because I don't think it was clear.
9 You stated that you're certain that Bell Atlantic
10 accurately reports its performance to CLECs each
11 month, based upon the data that you evaluated. My
12 question is: Do you reach that conclusion based
13 upon the fixes that Bell Atlantic made in response
14 to the findings, of KPMG's findings, in the PMR
15 test?

16 (Pause.)

17 A. [SEARS] I am clearly more confident today
18 that those metrics accurately reflect that
19 performance. The level of deficiencies at the
20 beginning of our test, I would not put it in any
21 sort of extreme category. Less than 10 percent of
22 their metrics -- there were less than 10 percent of
23 their metrics that we could not replicate at the
24 outset of the test. So we're down to almost

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1 Q. Page 648 is the 1-1-12, and then also Page
2 656. These two items you testified are still not
3 satisfied. My question is, will there be any
4 additional retesting of these tests?

5 A. [SEARS] The answer is, based on
6 Commissioner Vasington's statement that he read at
7 the beginning of the proceedings, we are not
8 planning on executing any retests in this area.

9 Q. Of the performance metrics that you did
10 replicate, how certain is KPMG that Bell Atlantic
11 appropriately and accurately captures and reports
12 its performance to CLECs each month?

13 A. [FOSTER] Our PMR test addresses this issue.
14 We found that Verizon satisfied the criteria of
15 accurately capturing and calculating metrics, except
16 for the not-satisfied evaluations given in our
17 report. Our currently planned revision to the
18 report, which includes our retest, has no
19 not-satisfied evaluation with respect to the
20 calculation.

21 A. [SEARS] In other words, we're highly
22 certain that Verizon appropriately and accurately
23 captures and reports its performance metrics to
24 CLECs each month.

1 nothing. In fact, we're down to nothing. So we've
2 gone from under 10 percent to zero. So I have a
3 higher degree of confidence today, but I would say
4 that my confidence was reasonably high at the
5 beginning of the test as well.

6 Q. I'm only focusing on the actual metrics that
7 you replicated, not all of the carrier-to-carrier
8 metrics. The ones that you had looked at you had
9 found problems. Your report indicates that
10 initially you found problems. Bell Atlantic
11 subsequently corrected them. My question is: Are
12 you confident that Bell Atlantic is accurately
13 reporting its performance to CLECs each month
14 because they've made those fixes and now, based on
15 what you've seen, you're confident that going
16 forward they will report their performance
17 accurately each month?

18 A. [SEARS] I think I'm going to have to answer
19 that question in a couple of parts. There were
20 whole families of metrics where Bell Atlantic has
21 had no replication issues since the beginning of the
22 test. In those areas I would feel highly confident,
23 at the beginning of the test and the end of the
24 tests, that Bell Atlantic is accurately reporting

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1 those metrics.
2 There were two families of metrics where
3 KPMG had issues replicating those metrics, and in
4 those areas my confidence level would be based on
5 today's performance, not necessarily the performance
6 at the outset of the test.
7 Q. And what were those two families?
8 A. [SEARS] Preordering and provisioning
9 metrics.
10 Q. When you tested the metrics, replicated the
11 metrics, did you do it by looking at the preordering
12 metrics, replicating those; the ordering metrics,
13 replicating those; provisioning metrics, and so on
14 down the road? Or did you look at it by category,
15 looking at all the resale together, UNE?
16 A. [SEARS] I think we just did it all at once.
17 Q. How long does it take to replicate --
18 Let's just assume, for example, that
19 there was a request for you to go back and
20 replicate, let's just say, eight metrics relating to
21 provisioning of DSL. How long would that take?
22 A. [FOSTER] Replicating the metrics -- It
23 depends, is the direct answer. It depends on the
24 quality of the algorithm and the ability of the

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1 person at Verizon to explain how the metrics should
2 be calculated, how to calculate with their data.
3 Q. Does it take a week or does it take a month?
4 A. [FOSTER] A week to three weeks.
5 Q. My final question is: Do you have a
6 breakdown -- Your report states that for some areas
7 that you looked at there were some performance
8 metrics in the carrier-to-carrier guidelines that
9 there just wasn't a metric for that and that you
10 came up with your own criteria for evaluating it.
11 Not necessarily in the performance-metrics section;
12 I'm talking about the whole report in general.
13 There's a statement somewhere in the report; I can't
14 remember where it is.
15 Do you have a list of areas or metrics
16 that you've kept where Bell Atlantic does not have a
17 corresponding carrier-to-carrier metric?
18 A. [SEARS] I think I understand what you're
19 asking. I believe we make a statement here that
20 says we rely on carrier-to-carrier metrics. There
21 are occasions where we have developed our own
22 quantitative criteria, against which we evaluated
23 Bell Atlantic's performance. That's a paraphrase.
24 I'm sure. I know that we don't have a list of those

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1 right now.
2 Q. Do you think if I asked a data request, that
3 you could -- would you be able to provide that?
4 A. [SEARS] I'm sure if we were asked by the
5 DTE to do that that we could attempt to do that and
6 would most likely be successful, yes.
7 MS. SCARDINO: I'd like to ask for the
8 quantitative measurements that KPMG used where there
9 was no corresponding carrier-to-carrier metric
10 available -- meaning where there wasn't a carrier-
11 to-carrier metric and KPMG used another evaluation
12 criteria, what was that performance metric?
13 MS. CARPINO: We will mark that as
14 proposed Record Request GG.
15 (RECORD REQUEST.)
16 MS. SCARDINO: That concludes my
17 questions on metrics.
18 MS. CARPINO: Did you have an RMI
19 question?
20 MS. SCARDINO: I have one RMI question.
21 MS. CARPINO: Let's go back to the POP
22 followup.
23 RAYMOND W. SEARS, III, JOSEPH
24 DELLATORRE, MICHAEL BUJAN, JAMES BOWERS,

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1 BETH YATES, STEPHEN SESKO, and AARON
2 FOSTER, Witnesses
3 CROSS-EXAMINATION
4 BY MR. McDONALD:
5 Q. I just have a few questions, as followup to
6 some of the responses that you gave to some of Mr.
7 Salinger's questions many, many hours ago.
8 First, if you could turn to Page 45 of
9 the report. I'm looking at POP-1-1-1. This has to
10 do with EDI preorder availability. One of the
11 criteria that I believe, Mr. Sears, you said going
12 into KPMG's result was your subjective experience,
13 KPMG's subjective experience, in using EDI. I just
14 want to know, what was the window of time that you
15 used in order to come up with that conclusion?
16 A. [DELLATORRE] From mid-May through June,
17 certainly Monday through Friday, 8:00 a.m. to 5:00
18 or 6:00 p.m., occasionally weekends, occasionally
19 evenings, in fact.
20 A. [SEARS] We were executing transactions
21 throughout that period of time.
22 Q. And those were the functionality
23 transactions, as opposed to the volume transactions?
24 A. [SEARS] The volume transactions were

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1 executed over two 24-hour periods, one about
2 eight-hour period or one 17-hour period, and one
3 four-hour period during that window of time.

4 Q. Well, that actually comes to my next
5 questions. The normal peak and stress volume
6 testing that occurred on the two dates in May and
7 the two dates in June, what was the time period that
8 you used in submitting your transactions?

9 A. [SEARS] Normal and peak volume tests are
10 scheduled to run for 24 hours, and we run 10 percent
11 of our volume in the busiest hour. So we run light
12 volume --

13 We try to mimic the patterns that Bell
14 Atlantic sees, so we run light volume between
15 midnight, and things start to pick up around 6:00
16 a.m. They seem to tail off around 6:00 p.m. So we
17 ran those for 24 hours.

18 The stress test was run over a four-hour
19 period.

20 Q. What four-hour period?

21 A. [SEARS] 2:00 p.m. to 6:00 p.m. in the
22 afternoon.

23 Q. You may have said this, but I might have
24 missed it. I know that you gave 21,738 for the

1 Q. And at some time prior to that KPMG made a
2 recommendation to the Department that LSOG 4
3 functionality testing would be a good idea?

4 A. [SEARS] If you'd like the real chronology,
5 I'd be happy to give it to you without dates.

6 Q. That's fine.

7 A. [SEARS] There was a series of discussions
8 between the DTE's project manager and KPMG where the
9 issues surrounding LSOG 4 were discussed. At some
10 point KPMG and the DTE staff recommended to
11 Commissioner Vasington that an LSOG 4 functionality
12 test be done. He and I'm sure others considered
13 that, and we were ordered to do that test.

14 Q. And with respect to the line-loss reports,
15 obviously KPMG didn't receive any instruction from
16 the Department to perform line-loss testing per se.
17 Did KPMG make any sort of recommendation to the
18 Department as to whether or not line-loss report
19 testing should be done?

20 A. [SEARS] I honestly don't remember.

21 Q. Is there someone else on the KPMG panel who
22 does remember?

23 A. [DELLATORRE] I made no recommendation that
24 that report be tested.

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1 orders for a normal period. Did you give, and I
2 just didn't write it down, the peak and the stress
3 volumes?

4 A. [SEARS] No, we didn't. Bear with us for a
5 minute while we get that spreadsheet out. (Pause.)

6 Q. While we're waiting for that discrete
7 number -- do you have it?

8 A. [BOWERS] No, I have percentages, not the
9 discrete number.

10 Q. Is that something that is available or not?

11 A. [BOWERS] We're booting the machine right
12 now.

13 Q. On the subject of line-loss reports, in
14 response to one of Mr. Salinger's questions, you
15 made the statement that you weren't instructed to
16 perform any line-loss testing. I just want to get a
17 better understanding of how the process works with
18 respect to KPMG's -- whether or not KPMG would
19 recommend to the Department that something be done.

20 Let me draw the distinction this way:
21 At some point in time KPMG was instructed to perform
22 functionality testing with respect to LSOG 4; is
23 that right?

24 A. [SEARS] That is correct.

1 MR. SIMON: Mr. McDonald, I can state
2 that I didn't receive any recommendation from
3 anybody at KPMG.

4 Q. If you could turn to Page 51, POP-1-4-8.
5 This has to do with the 14 expected PCNs that were
6 not received, and then on the subsequent page there
7 was the 20 orders where you anticipated receiving
8 PCNs -- or, rather, received PCNs but did not
9 receive BCNs. I believe it was testified earlier
10 that both of those were essentially the subject of
11 Observation 88.

12 A. [SEARS] Certainly the BCNs without PCNs was
13 a subject of Observation 88, yes.

14 Q. And the other of the two, was that also the
15 subject of an observation?

16 A. [SEARS] It's not specifically the subject
17 of an observation, no.

18 Q. In looking at the status summary as of
19 August 18 for Observation 88, the end of the notes
20 section states, "A fix is scheduled for the
21 8/19/2000 release. KPMG accepts BA's explanation.
22 However, both fixes have not been verified by KPMG.
23 Currently KPMG is not planning to retest this issue.
24 The observation has been closed."

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1 My question is: If KPMG were to retest
2 this issue, how long would it take?

3 A. [SEARS] I would say the minimum interval
4 would be about two weeks. We have quite a bit of
5 work to do if we were to retest that, because we
6 don't have test beds. So we would need to reset
7 some of our test beds to perform that test..

8 Q. And the nature of the fix that Bell
9 Atlantic -- in this it says that the fix is
10 scheduled for 8/19, which was the day after this
11 document was produced. Obviously that's come and
12 gone. Do you know whether that scheduled fix has in
13 fact been implemented?

14 A. [SEARS] I don't know, and it clearly hasn't
15 been tested.

16 By the way, I have the answer to your
17 previous question on volumes in front of me,
18 whenever you want to get to it.

19 Q. Okay.

20 A. [SEARS] Number of orders on the peak day
21 was 8,602. 8,258 were executed through the EDI, 344
22 through the GUI. 21,505 preorders were scheduled.
23 20,645 were executed through the EDI, 860 through
24 the GUI. Total number of transactions was 30,107.

1 BY MS. SCARDINO:

2 Q. On Page 594 there's a table, Table 7-3, and
3 under the table, which relates to help-desk
4 performance, there's a statement that no performance
5 standards or guidelines to evaluate acceptable
6 response time from initiation to closure of
7 help-desk calls were available for this test.

8 My question is: Does KPMG believe that
9 such standards or guidelines would be useful in
10 evaluating acceptable response times for help-desk
11 calls?

12 A. [DELLATORRE] I do believe that Mr. Sears is
13 on the record with that same question from
14 yesterday, saying that presumably it would be
15 helpful to have a help-desk resolution metric.

16 MS. SCARDINO: Thank you. No other
17 questions.

18 MS. CARPINO: WorldCom, do you have any
19 RMI questions?

20 MR. McDONALD: No, we don't.

21 MS. CARPINO: AT&T?

22 MR. SALINGER: Yes. Thank you.

23 CROSS-EXAMINATION

24 BY MR. SALINGER:

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1 The stress test was done on an hourly
2 basis, and we did four hours. Our first hour in the
3 stress test was 1406 hours. That would translate
4 into a daily rate of 14,060. In our last hour we
5 executed 3,181 order transactions. That would
6 translate into a daily number of KPMG orders of
7 31,810. You have to add approximately 18,000 or so
8 production orders on top of that to get what the
9 total number of orders that would simulate for Bell
10 Atlantic would be. It's close to 50,000 orders a
11 day.

12 Preorders, 3,516 were executed in the
13 first hour. 7,952 were executed in the fourth hour
14 of the 2:00-to-6:00-p.m. period.

15 MR. McDONALD: Thank you. I have no
16 more questions.

17 MS. CARPINO: Let's shift to RMI.

18 MS. CARPINO: Ms. Scardino, you have an
19 RMI question?

20 MS. SCARDINO: I have just one question.

21 RAYMOND W. SEARS, III, JOSEPH

22 DELLATORRE, PHILIP N. PHAN, and TOBIAS

23 D. SCHWARTZ. Witnesses

24 CROSS-EXAMINATION

1 Q. I'd like to start by following up on the
2 same page, Page 594. Does the panel have that page
3 in front of them, Table 7-3?

4 A. [DELLATORRE] Yes.

5 Q. The total of 9969, this is the number of
6 trouble tickets that was analyzed?

7 A. [SCHWARTZ] Yes.

8 Q. You categorized the universe that you looked
9 at into three groups: critical, major, and minor.
10 What did you mean when you called 1,449 of these
11 trouble tickets as involving critical problems?

12 A. [SCHWARTZ] These classifications are Bell
13 Atlantic classifications. They're broken out
14 according to the way they're reported to us. So
15 they had them classified as critical, major, and
16 minor. If somebody called in something that they
17 considered critical to doing business, that would
18 have ended up in that category.

19 Q. So what is meant by the description of
20 severity as critical for this purpose?

21 A. [DELLATORRE] We do not have that
22 information available, the description of the
23 differences between these classifications.

24 Q. But these were categorized by Verizon, as

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1 opposed to by KPMG?
2 A. [DELLATORRE] That's correct.
3 A. [SCHWARTZ] That's correct.
4 Q. And of the 1,449 trouble tickets that
5 Verizon identified as involving critical troubles,
6 30 percent of them took a week or more to close? Am
7 I reading the table correctly?
8 A. [SEARS] I think you asked -- 440,
9 approximately 30 percent of these were closed seven
10 and beyond days after the trouble was opened.
11 Q. If we look in the last two columns, we add
12 the 16 percent to the 14 percent, and that gives us
13 30 percent?
14 A. [SEARS] That's what I'm doing, yes.
15 Q. And so 14 percent took 28 days or more to
16 close in this category.
17 A. [SEARS] Correct.
18 Q. Did KPMG do any sort of investigation to
19 determine how long it takes Verizon to close its own
20 critical trouble tickets for its own troubles?
21 A. [SEARS] No, we did not.
22 Q. So no sort of parity analysis was done.
23 A. [SEARS] That's correct.
24 Q. Let's turn back to Page 515 of the report,

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1 which is the second page of the comments concerning
2 test cross-reference RMI-2-2. I think this was
3 discussed some yesterday. It's fair to say that
4 with respect to the February, 2000 release of new
5 OSS software by Verizon, KPMG observed quality
6 issues with the test deck?
7 A. [SEARS] That is correct.
8 Q. That gave rise to Exceptions 5 and 7. I
9 think you indicated?
10 A. [SEARS] That's correct.
11 Q. And indeed, as a result of that, it was
12 KPMG's determination that Verizon would have to do
13 better and that this would need to be retested in
14 connection with the June release?
15 A. [SEARS] It was our conclusion that it
16 needed to be retested, yes.
17 Q. Are you disagreeing with my characterization
18 that KPMG had concluded that Verizon needed to do
19 better?
20 A. [SEARS] I'm disagreeing only in the sense
21 that our conclusion at that time was Verizon would
22 need to do better to get an evaluation of satisfied
23 as opposed to not satisfied.
24 Q. And so KPMG did indeed retest in terms of

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1 observing the June, 2000 release; correct?
2 A. [SEARS] "Using," I would choose, as opposed
3 to "observing."
4 Q. I think I understand, but just why don't you
5 be explicit for the record, the distinction you're
6 making there.
7 A. [SEARS] We actually used the test deck to
8 prepare, to execute transactions. So we did not
9 observe a CLEC or Bell Atlantic internal quality
10 process. We actually used the test deck ourselves
11 to prepare ourselves to execute transactions in the
12 appropriate time frames.
13 Q. And KPMG reports on Page 522 that in using
14 the June release KPMG observed quality issues with
15 the test deck; correct?
16 A. [SEARS] That's correct.
17 Q. I want to make sure I understand correctly
18 what's on the next page, Page 523, and I think also
19 in Observation 105. Verizon has reported to KPMG
20 that to fix the test-deck problems that KPMG
21 observed in the June release is going to require a
22 new test-deck publication process that Verizon
23 intends to roll out in October?
24 A. [SEARS] That's correct.

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1 Q. Has KPMG in any way reviewed the new
2 test-deck publication process that Verizon says it
3 will implement beginning in October?
4 A. [SEARS] We have discussed at a high level
5 the process. We have not received any documentation
6 regarding the process.
7 And also let me make this clear: The
8 errors we observed were LSR errors. So these
9 comments are confined to LSRs. There are a number
10 of other areas where the test deck -- there's an LSR
11 component, there's an EDI component. Our comments
12 are confined to the LSR component of the test deck.
13 Q. This would include LSRs that are being
14 submitted via EDI?
15 A. [SEARS] Yes. LSRs are converted into EDI,
16 and what we're talking about are the LSR forms
17 themselves, not the EDI interface, or not the EDI
18 element.
19 Q. Is it fair to say that one of the critical
20 things about the CLEC test environment and the test
21 deck is that when the test deck is applied that the
22 results a CLEC observes in the CLEC test
23 environment, the CTE, need to match the results that
24 the same transaction would produce in the production

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1 environment?

2 (Pause.)

3 WITNESS SEARS: Can you read the
4 question back, please.

5 (Question read.)

6 A. [SEARS] I'll choose my own words. I think
7 it's very important that if an order is successfully
8 executed in the CTE it should be successfully
9 executable in the production environment.

10 Q. Is KPMG aware that with respect to certain
11 transaction types that was not true during the June
12 release?

13 A. [SEARS] We are not firsthand aware of that
14 situation. We did not have that information.

15 Q. There's evidence already in the record.
16 testimony by Verizon witnesses, a Verizon discovery
17 response, having to do with the problems in
18 connection with CR No. 1490, regarding account
19 telephone numbers, ATNs. Doing this from memory --
20 I think I have the date right -- and this was a
21 change that was released by Verizon in the
22 production environment I believe on June 18th, and
23 it was not until the next day, June 19th, that CLECs
24 were notified of that. Were you aware of that

1 Q. Did KPMG take a look to see whether or not
2 this particular change was properly categorized as
3 Type 1, Severity 2?

4 A. [SCHWARTZ] We don't determine or -- we
5 don't assess that.

6 Q. Is that a no?

7 A. [SEARS] Yes, that's a no.

8 Q. Was KPMG aware that once CR No. 1490 was
9 implemented by Verizon certain orders were rejected
10 in the production environment even though they were
11 successfully being processed in the CTE?

12 A. [SEARS] Our belief, as we sit here, is that
13 change would not have impacted us because we don't
14 use the same ATN format in our transactions.

15 Q. So that's an example of something that CLECs
16 experienced it, KPMG because the environment it is
17 working in is somewhat different just didn't
18 experience it.

19 A. [SEARS] It's an example where certain CLECs
20 might have experienced it and other CLECs might not
21 have, depending on the type of transactions they
22 executed.

23 Q. In which test was KPMG evaluating whether
24 orders that were processed one way in the CTE are

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1 problem in terms of untimely notification of change
2 in connection with the June release?

3 A. [SCHWARTZ] 1490 was a Type 1, Severity 2.
4 So in the first place, there's really not an
5 interval guideline associated with Type 1, Severity
6 2. They're emergent changes. So, yes, that was
7 issued -- the documentation was issued after the
8 releases went in place.

9 However, there are also other
10 requirements for Type 1, Severity 2 change, which
11 include a conference call with the CLECs, as well as
12 an available work-around for whatever changes are
13 being put in place.

14 Q. And you're aware that none of that happened
15 with respect to CR No. 1490?

16 A. [SCHWARTZ] I am aware that the
17 documentation was issued a day late, and a
18 subsequent conference call.

19 Q. Was KPMG aware that there was no advance
20 notification to CLECs at all of this change?

21 A. [SCHWARTZ] Type 1, Severity 2 change,
22 according to Bell Atlantic change-management
23 procedures, do not require notification ahead of
24 time.

1 processed the same way in the production
2 environment?

3 A. [SEARS] It's not a specific test per se.
4 The way we actually execute transactions is, we
5 build our order forms and EDI maps from CTE. When
6 we're done with CTE, we actually migrate those maps
7 and order forms in our tools to production. So
8 there's not a specific test that looks at did it
9 work -- there isn't a specific test that looks at
10 did it work in CTE and not in production. What we
11 would experience is a situation where, if we did the
12 migration, it would be possible theoretically where
13 a transaction that worked in CTE doesn't work in
14 production, because we're using the same maps and
15 order forms that we left CTE with.

16 Q. Let me restate it and make sure I heard that
17 clearly. None of the evaluation criteria in the RMI
18 domain evaluated whether the CTE is processing
19 orders in the same way that the production
20 environment is processing the same orders?

21 A. [SEARS] The answer is, there are no
22 specific criteria. Had we had that experience, it
23 would have been noted as an observation. But there
24 are no specific evaluation criteria that evaluate

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1 the ability to go from CTE to production.

2 Q. KPMG notes in its report -- for example, at
3 Page 493 -- that the change-control process
4 contemplates Type 5 changes, meaning that the CLECs
5 can ask Verizon to implement OSS systems changes.
6 Did KPMG do any investigation or analysis regarding
7 whether Verizon implements CLEC-sponsored changes in
8 a timely manner?

9 A. [SCHWARTZ] We have no indication that they
10 don't implement in a timely manner. We did nothing
11 specific to segregate out CLEC-requested changes,
12 but we found no indication that they were not
13 implementing them in a timely manner.

14 Q. What was the analysis or investigation KPMG
15 did regarding this question?

16 A. [SCHWARTZ] We looked at specifically the
17 intervals associated with those Type 5 changes that
18 were scheduled, to determine if they went in within
19 preestablished change-management guidelines. We
20 didn't look at anything beyond those that were
21 scheduled.

22 Q. Okay. So you didn't look to see if there
23 were CLEC requests that for long periods of time
24 simply were not scheduled by Bell Atlantic?

1 A. [SEARS] Yes.

2 Q. Was it KPMG's experience that some of these
3 changes were made on an emergency basis, as a Type 1
4 change?

5 A. [SEARS] I'm going to respond to that in
6 this way: We believe that Bell Atlantic has issued
7 change-control notices that respond to our
8 observation numbers or that actually contain
9 references to our observation numbers. So I would
10 think in those instances the cause-and-effect would
11 be pretty well presumed.

12 In other cases there's what I would say
13 is a high correlation between -- potentially between
14 our identification of a problem and a change notice
15 that was issued by Bell Atlantic. But we don't have
16 any way to prove that it's cause-and-effect and not
17 just coincidence.

18 Q. Did KPMG try to compare how quickly Verizon
19 issued change notices in response to KPMG
20 observations versus how quickly Verizon implements
21 system changes when requested by CLECs?

22 A. [SEARS] No, we didn't have any data that
23 would allow us to do that.

24 Q. Did you seek any data that would allow you

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1 A. [SEARS] No.

2 A. [SCHWARTZ] No.

3 Q. Did you take into account when you were
4 looking at the implementation of a Type 5 change
5 whether it had been rescheduled one or more times
6 unilaterally by Bell Atlantic?

7 A. [SEARS] Our understanding is, if a CLEC
8 Type 5 change had been scheduled and were
9 rescheduled, that would have been flagged as missing
10 the commitment date by Bell Atlantic unless all the
11 parties had agreed to the schedule change. So it's
12 our belief that unilateral changes on the part of
13 Bell Atlantic would have been flagged and noted as
14 missing the schedule dates.

15 Q. Now, in particular did KPMG investigate the
16 history of the rescheduling of the fielded-
17 completions change that CLECs requested?

18 A. [SEARS] No, we did not.

19 Q. Did KPMG investigate the history of the
20 rescheduling of electronic jeopardy notices?

21 A. [SEARS] No.

22 Q. Did Verizon make OSS systems changes during
23 KPMG's testing in order to fix errors or problems
24 that KPMG uncovered?

1 to do that?

2 A. [SEARS] We didn't even think about
3 constructing a test that would allow us to do that.
4 So no, we didn't seek any data of that nature.

5 Q. Thank you.

6 MR. SALINGER: That's all we have on
7 RMI.

8 MS. CARPINO: All right. Metrics.

9 Ms. Kinard, you have some metrics
10 question?

11 MS. KINARD: Yes.

12 RAYMOND W. SEARS, III, JOSEPH
13 DELLATORRE, BETH YATES, and
14 AARON FOSTER, Witnesses

15 CROSS-EXAMINATION

16 BY MS. KINARD:

17 Q. One of the two open exceptions in metrics is
18 on the change-control process for metrics. I
19 understand -- I wasn't here Monday, but Commissioner
20 Vasington said that the Commission would come in and
21 look at the new change-control process that
22 Verizon's going to implement, but the Commission is
23 not going to come back and replicate the DSL metrics
24 and other metrics that weren't reported yet, that we

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1 talked about earlier today. Is that my correct
2 understanding? They're just going to look at the
3 change-control process?

4 A. [SEARS] I honestly don't remember exactly
5 what Commissioner Vasington said.

6 COMMISSIONER VASINGTON: It's in the
7 transcript from Monday, or I can find a copy of it.

8 MS. KINARD: That was my understanding
9 from my attorney, that you're just going to do the
10 change-control process, not necessarily replicate
11 the metric.

12 COMMISSIONER VASINGTON: That's what I
13 announced on Monday, yes. If we decide to do
14 something different later, that is a possibility.

15 Q. In our comments on your report we noted two
16 statements in the Bell Atlantic metrics affidavit,
17 one changing how they calculate delay days and
18 another changing the retail analog for interoffice
19 facilities. I was wondering if these two changes,
20 made around January or February, were two of the
21 changes not picked up in change-control. Do you
22 recall what changes were not picked up?

23 A. [SEARS] Is this one of your written
24 questions? Because I got the delay-days piece, but

1 that we were comfortable with this is the
2 calculation itself never changed; they changed the
3 definition in the guidelines to make it consistent
4 with the calculation.

5 Q. And what definition did they change?

6 A. [SEARS] It would be PMR-6 metrics,
7 installation-quality metrics. They actually changed
8 the guidelines to make the guideline description of
9 the metric consistent with the way it was
10 calculated. They didn't change the calculation
11 itself.

12 Q. Can you describe what the definition change
13 was, what they added to the language in the
14 guideline?

15 A. [SEARS] Not as we're sitting here today,
16 no.

17 MS. KINARD: Can I ask that as a record
18 request, that I see what was changed in the
19 guidelines? And also, to my previous question, if
20 you could go back to the change-control evaluation
21 for metrics and see if the delay days and the
22 interoffice-facilities one were among those where
23 there was inadequate change-control or no change-
24 control explanation.

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1 I didn't get the other particular change you were
2 referencing.

3 Q. This was in our comments on the draft
4 report, but I don't think it was in our questions
5 per se.

6 A. [SEARS] You said there was a change in
7 delay-days calculation and another change. And I
8 didn't catch --

9 Q. In the retail analog used for interoffice
10 facilities.

11 A. [SEARS] Our analysis was done at the
12 field-name level, and as a consequence, we don't
13 know as we're sitting here whether those fields
14 impacted the delay-day calculation or the retail
15 analog for interoffice facilities.

16 Q. On Item 9.4, on installation quality -- and
17 I am going to the submitted questions here. This
18 was closed based on Verizon saying they were willing
19 to align the metric with the New York carrier-to-
20 carrier guidelines. I'm just wondering if you could
21 explain what that alignment is and if that was
22 something retested with the March or July -- or was
23 it June metrics that you retested?

24 A. [SEARS] Our understanding of the reason

1 MS. CARPINO: The definitional change
2 will be proposed Record Request II. Could you
3 restate again your -- it was actually your first
4 request, but now we're going to number it II.

5 MS. KINARD: This was a request for KPMG
6 to look at their change-control analysis for metrics
7 and see if a change in the delay-delays calculation
8 for the provisioning metrics and in the retail
9 analog used for interoffice facilities were among
10 the changes that Bell Atlantic did not get notice
11 on, or did not explain the change on.

12 WITNESS SEARS: Let me just put a note
13 on the record that we cannot accomplish the second
14 item without significant input from Verizon. We
15 don't have the data to do it ourselves.

16 MS. CARPINO: That latter request will
17 be proposed Record Request II.

18 (RECORD REQUEST.)

19 Q. On July 20th your report had said you cannot
20 consistently replicate the preordering and
21 provisioning metric values. Why did KPMG eventually
22 close this exception?

23 A. [SEARS] Because we completed our retest,
24 and our retest was successful.

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1 Q. And that was from the March --

2 A. [SEARS] We used March and July to replicate
3 preorder and provisioning metrics, yes.

4 Q. You mention in the report repeatedly trying
5 to replicate Verizon's provisioning metrics, and
6 they were at one point 33 not matching, then 40 not
7 matching. I imagine these were cleared up in
8 retesting. Can you explain what happened? Did they
9 change the business-rule explanation? Did they
10 provide you more data? What caused that to be
11 cleared up in the end to get a satisfactory report?

12 A. [SEARS] I think the appropriate answer is
13 that these are complicated metrics. There was
14 confusion on our part about how to replicate these
15 metrics. Clearly, some of the early replication
16 attempts that failed were because we did not
17 understand how to calculate the metrics. Over time
18 we grew to understand how these metrics should be
19 replicated, and they were replicated successfully in
20 the retests that utilized March and July data.

21 Q. So this was more your lack of understanding
22 than Bell Atlantic not explaining how they were
23 calculated in the guidelines?

24 A. [SEARS] Our lack of understanding early on

1 February. It's akin to the xDSL metrics that we
2 discussed previously. So it was not tested.

3 Q. I don't even think they're reporting it in
4 June, either.

5 Overall, in looking at the metrics for
6 flow-through, it seems like they're recording pretty
7 low numbers compared to New York, and even New
8 York's not meeting some of the standards there. How
9 did you use the metrics in evaluating that they
10 satisfied the flow-through requirement?

11 A. [SEARS] We didn't. Our metrics test is not
12 to evaluate Bell Atlantic's performance. It's
13 designed to evaluate whether you can rely on the
14 Bell Atlantic numbers and whether they can be
15 replicated and whether they're valid. So we in the
16 metrics sections did not opine as to the quality of
17 Bell Atlantic's performance.

18 Q. But they used some of their metrics to
19 justify that they met other areas of the test.
20 Flow-through wasn't one of the areas where they used
21 those metrics?

22 A. [SEARS] No, it was not.

23 Q. You mention in the report -- and this is a
24 followup to some of the earlier questioning -- that

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1 certainly contributed to the time it took to
2 replicate these metrics, yes.

3 Q. On the OSS interface availability metrics,
4 you talked about Verizon using inconsistent
5 algorithms in PMR-1-1-7. If you could explain how
6 this is now satisfied and what was changed.

7 A. [SEARS] Fundamentally, Verizon changed
8 their calculation of the metric to the way we
9 thought it should have been calculated for March and
10 July. We can't explain the inconsistent algorithms
11 used prior to that time.

12 Q. Was this the one with the boxes in the
13 denominator?

14 A. [FOSTER] That is correct.

15 Q. And did they offer you any explanation on
16 that?

17 A. [SEARS] No.

18 Q. It looks like you were able to replicate the
19 total flow-through and simple flow-through metrics,
20 but from my understanding, they have not reported on
21 the achieved flow-through metric yet to replicate.

22 A. [SEARS] It's not that we were unable to
23 replicate that metric. That metric was not subject
24 to the retest because it wasn't available in

1 I think there were 100 metrics that were still under
2 development, and you didn't think this was
3 significant. Can you explain why you don't think it
4 was significant?

5 A. [SEARS] Our assessment there was whether
6 Bell Atlantic was meeting their commitments in
7 getting those metrics developed and moving the
8 metrics under development from 109 towards 81
9 towards a smaller number. And we were satisfied
10 that Bell Atlantic is implementing these metrics in
11 accordance with their commitments.

12 Q. Wouldn't you think that some of these
13 metrics would be significant to certain service-
14 delivery methods? If a CLEC was going to rely on
15 EELs provisioning, the fact that these metrics
16 aren't implemented yet would be significant?

17 A. [SEARS] It would really depend on Bell
18 Atlantic's level of performance. I'm not sure that
19 not having the metric implemented is critical to
20 Bell Atlantic being able to provide service.

21 Q. So when it took us 90 days to get a reject
22 on EELs and there's no metric to pick it up, it's
23 hard to prove your case.

24 MS. CARPINO: Is there a question coming

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1 up?

2 MS. KINARD: No. I'll drop that there.

3 Q. In looking at the hot-cut metrics and the
4 on-time performance for DSL, did you look at any
5 rules or procedures for classifying those metrics as
6 being on time? Like early cuts are not on time or
7 late cuts were not on time -- if there were any
8 methods or procedures for the people doing metrics
9 on how to classify these?

10 A. [SEARS] Just for clarification, we didn't do
11 any replication work for DSL, so we'll just talk
12 about hot cuts.

13 Q. Okay, for hot cuts.

14 (Pause.)

15 A. [SEARS] Fundamentally our replication
16 relied on Bell Atlantic's written metrics rules. So
17 we did not assess classification, for example. We
18 did not opine as to whether we thought the rules for
19 classifying things were appropriate.

20 Q. Well, not so much if they were appropriate.
21 You're just saying you looked at the guidelines that
22 have said, "This is what on-time is," and you
23 stopped there. You didn't look if their workers
24 were trained to classify an early cut as a missed

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1 We think it will work. We just don't have any data
2 to prove that it works. But it was really developed
3 by Verizon. So I don't know if it's the same
4 process that was implemented in New York.

5 Q. You're just saying you don't know? At first
6 you said you would be surprised if it was.

7 A. [SEARS] I just don't know.

8 MS. KINARD: That's all.

9 MS. CARPINO: Thank you. Let's go off
10 the record for a moment.

11 (Brief recess.)

12 MS. CARPINO: Let's go back on the
13 record. Mr. Sears has indicated that he has an
14 answer to one of Ms. Kinard's questions.

15 A. [SEARS] I believe you asked a question as
16 to whether field technicians understand how to code
17 transactions so that they're correctly reported in
18 the metrics data. My understanding in the
19 provisioning area, which is where I think we were
20 speaking, is that actually field technicians do not
21 code transactions; they simply record the time they
22 completed their work efforts against a WFA ticket.
23 Then the metrics calculation would be automatic from
24 that point forward. So the technician doesn't have

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1 appointment?

2 A. [SEARS] Let me just try to clarify. What
3 you're asking is, do the people in the field know
4 how to code transactions properly?

5 A. [SEARS] That's a different subject-matter-
6 expert area than metrics. We're going to try to see
7 if we can find somebody who can speak to that.

8 Q. But isn't it part of quality control for
9 metrics or --

10 A. [SEARS] No, it really isn't. If it were
11 covered at all, it would be part of process
12 analysis.

13 (Pause.)

14 A. [SEARS] We're going to have to come back to
15 that one, because the folks that can answer that one
16 are at 99 High Street.

17 Q. I'll just wrap up with another question on
18 the change-control process for metrics. Do you know
19 if the new process that Bell Atlantic is
20 implementing, is that the same as the one in New
21 York that you required in that test?

22 A. [SEARS] I'd be very surprised if it were
23 the same. It's a process that's been developed by
24 Bell Atlantic. We've taken a look at the process.

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1 to know whether he's completed the order early or
2 late or on time; all he does is note what time he's
3 completed the order, and the metrics calculation is
4 done based on the WFA data as derived from his
5 report.

6 Q. So this would be for an early cut, when
7 there's a call to 1-800-HOT-CUTS, to make sure that
8 that's coded as a missed appointment?

9 A. [SEARS] If he did the cut early, he would
10 write the time that he did the cut on his ticket,
11 effectively, or put it in the system. Then it would
12 get calculated as an early cut. He doesn't know
13 that it's an early cut; he just knows what time he
14 or she did the transaction.

15 Q. But someone else has to look at the WFA and
16 interpret the information; the system doesn't
17 automatically report it.

18 (Pause.)

19 A. [SEARS] Our understanding is that someone
20 would do a calculation that would determine whether
21 it was early or not; that it's not subjective; that
22 it's this is the time it was due, this is the time
23 it was reported to be done, and if it's early, it
24 will be calculated and therefore recorded as early.

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1 MS. CARPINO: Thank you. Mr. Gruber?

2 MR. GRUBER: Thank you.

3 CROSS-EXAMINATION

4 BY MR. GRUBER:

5 Q. Just a quick followup on one of the
6 questions that Ms. Kinard asked you earlier. There
7 was a discussion between Mr. Sears and Ms. Kinard on
8 metrics under development, and I thought I heard
9 Mr. Sears say that the lack of a metric for, for
10 example, the provisioning of EELs doesn't prevent
11 Bell Atlantic from providing that service. That's
12 what you said; is that right?

13 A. [SEARS] That's probably a paraphrase. It's
14 pretty similar. I think what I actually said was
15 that the absence or presence of a metric doesn't
16 actually govern Bell Atlantic's performance in
17 providing that service.

18 Q. Would you agree that the presence of a
19 metric that measures visibly Bell Atlantic's
20 performance and is recorded is an incentive for Bell
21 Atlantic to improve its performance over a situation
22 in which its performance is hidden?

23 A. [SEARS] That requires a lot of speculation
24 as to intent.

1 least among the major themes that you looked at.

2 One was the investigation of Bell Atlantic's process
3 for converting raw data into filtered data; two was

4 investigating whether Bell Atlantic actually

5 calculated the numbers using the definitions in the

6 New York C2C metrics; and three, you investigated

7 Bell Atlantic's ability to collect, maintain, and

8 process data required by the performance metrics.

9 Were those three purposes among the major themes of
10 your report?

11 A. [SEARS] We actually consider it two major
12 themes. We think CLEC maintaining and processing
13 data goes with the raw-to-filter process, and then
14 replication is independent. I think that's the way
15 we've structured our tests. Then there's a third
16 part, and that's why we actually present our
17 transaction-test data.

18 But your themes are clearly within the
19 scope of what we're trying to accomplish in the
20 metrics test.

21 Q. And before I return to my themes, I just
22 wanted to ask you a couple of questions on what's
23 not in there, or at least it didn't jump out at me.

24 In the November 19th letter order -- November 19th,

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1 MS. CARPINO: If you're not able to
2 answer that or you don't feel comfortable, you don't
3 need to.

4 A. [SEARS] The answer is that sometimes
5 they're an incentive and sometimes they don't
6 matter, and it depends on the intent of the person
7 providing the service. If Bell Atlantic had the
8 objective of providing world-class service, then I'm
9 not sure that the absence or presence of metrics
10 would change the way they tried to provide that
11 service.

12 Q. Just to make sure: You're not testifying
13 that they do have that objective; you're just saying
14 if they did have that objective.

15 A. [SEARS] I gave you a kind of hypothetical
16 that says that -- there's an old management
17 consultant saying that you get what you measure. So
18 in that sense metrics are very important in driving
19 performance. But there's not always a one-to-one
20 correlation between a high degree of performance and
21 the fact that you measure something.

22 Q. When I read the performance-metrics section
23 of your report, I saw three major themes. I'm going
24 to state them and see if you agree that these are at

1 1999 letter order of the Department, there's a
2 statement in that order that says the Department has
3 already directed KPMG to develop a comparison study
4 of the metrics proposed by Bell Atlantic -
5 Massachusetts versus the metrics endorsed by the DOJ
6 and reported in other jurisdictions, including New
7 York, Pennsylvania, and Louisiana. I didn't see any
8 reference to the work that you had done in that
9 regard. Did you do any of that work?

10 A. [SEARS] We provided a spreadsheet to the
11 DTE that fundamentally did what you just read.

12 Q. And in your comparison study did you reach
13 any conclusions about what metrics ought to be used
14 in a jurisdiction in order to properly capture the
15 CLEC-affecting performance?

16 A. [SEARS] "Comparison study" is perhaps -- it
17 would overstate what KPMG actually delivered to the
18 DTE. What we delivered to the DTE was effectively a
19 three-column spreadsheet, with the consolidated-
20 arbitration metrics in a single column, the
21 equivalent or not -- or the equivalent New York
22 carrier-to-carrier metrics in another column, and
23 the BellSouth Louisiana or the Louisiana metrics in
24 another column, fundamentally blank spaces

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1 highlighting where there were differences between
2 the three metric sets.
3 Q. And you made no recommendations as to which
4 metrics were more appropriate?
5 A. [SEARS] I don't believe we made any metrics
6 recommendations at that point in time. My
7 recollection is our spreadsheet was our work product
8 of that exercise, and that's what we provided to the
9 DTE.
10 Q. Now, the other thing that I didn't catch,
11 and it may be in your report: Did you do any
12 analysis on the validity of Bell Atlantic's
13 calculation of its retail performance?
14 A. [SEARS] Implicit in validating the retail
15 metrics, because they present a comparison between
16 retail and wholesale performance, we did do validity
17 checking of Bell Atlantic's retail metrics.
18 Q. And are those discussed or are the results
19 reported in your report?
20 A. [SEARS] What I'm being told is, the fact
21 that they're not reported in our report means that
22 there were no not-satisfieds in the replication
23 efforts. We did not report all the areas of our
24 validation, only areas where we have problems.

1 Atlantic's process for converting raw data into
2 filtered data. First I'd like to ask you: The raw
3 data, by that you mean the data as it is initially
4 recorded in Bell Atlantic's system: is that right?
5 A. [FOSTER] That is correct.
6 Q. And by "filtered data" you mean whether that
7 data was properly interpreted, either by system or
8 by person, into a score that could be used for
9 calculating the metrics?
10 (Pause.)
11 A. [SEARS] I'll try to answer that in our
12 words. Filtered data involves taking data and
13 compressing away fields that are not required to do
14 metrics calculations. That's one of the things that
15 happens. There are also sets of filtering rules
16 that eliminate data from the raw-data set.
17 Q. And so what you did not do, if I understand
18 you correctly, is determine whether the data as it's
19 initially recorded in Bell Atlantic's system
20 actually reflects what in fact happened on the
21 ground.
22 A. [SEARS] That is correct, yes.
23 Q. Just to give us some feel for this, I'm just
24 going to propose some hypotheticals. I'm not

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1 The short answer is, we were able to
2 replicate and validate the retail metrics without a
3 problem.
4 Q. And you actually did replicate the retail
5 metrics without a problem?
6 A. [SEARS] Well, not all the retail metrics;
7 only the retail metrics necessary for carrier-to-
8 carrier comparisons. (Pause.)
9 Just those retail metrics that were used
10 in the carrier-to-carrier guidelines comparisons
11 with retail. So there could be retail metrics that
12 we never saw.
13 Q. But all the retail metrics which are used
14 for purposes of determining parity in the New York
15 C2C metrics you replicated?
16 A. [SEARS] Well, I hesitate to say "all" only
17 because in our report we talk about replicating 635
18 metrics and not replicating 29 metrics. But for all
19 intents and purposes, we've replicated those
20 metrics, yes.
21 Q. Now I'd like to return to what I have
22 defined as three major categories or themes and I
23 think you've defined it as two, and I'd like to look
24 at the investigation that KPMG did on Bell

1 suggesting that they necessarily happened. But
2 let's understand what your response to my previous
3 question means.
4 There could be a scenario, a hot-cut
5 scenario, in which on the day of the cut the Bell
6 Atlantic technician asks the CLEC technician to
7 supp. or postpone the cut or supp. the order for
8 reasons related to Bell Atlantic -- for example,
9 Bell Atlantic doesn't have enough technicians -- and
10 then Bell Atlantic records that in its logs as a
11 request by the CLEC to supp. the order, without any
12 further information. Now, that would be an example,
13 would it not, where there would be a discrepancy
14 between what happened in the field and the raw data
15 that's entered into Bell Atlantic's records?
16 A. [SEARS] We're probably going to get into
17 semantics. If Bell Atlantic requested the CLEC --
18 The answer is that certainly in that
19 situation it could be portrayed that a CLEC asked
20 for a change in due date when in fact Bell Atlantic
21 asked for a due date. Your hypothetical, however,
22 kind of makes the CLEC complicit in that
23 transaction. So it's not clear to me who actually
24 changed the due date there.

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1 Q. Well, did your investigation, was it
2 designed to pick up the difference between the less
3 full description that's on the Bell Atlantic logs
4 and the facts of what happened?

5 A. [SEARS] The problem with your hypothetical
6 is it's actually not possible. The technician
7 doesn't talk to CLEC technicians; he actually talks
8 to the RCCC. So you've actually posed a
9 hypothetical that actually couldn't happen.

10 If what you're asking is, if there were
11 a conspiracy, could Bell Atlantic conspire? I don't
12 even know that I want to go there.

13 Q. Well, I'll represent to you that Bell
14 Atlantic witnesses have testified that CLEC
15 technicians do talk to Bell Atlantic technicians.
16 There's been no testimony that this particular
17 scenario happened, but there is that relationship.

18 A. [SEARS] There are clearly situations where
19 individuals could probably --

20 MS. CARPINO: I'm sorry, Mr. Gruber.
21 Could you clarify? In your hypothetical did you say
22 Verizon asks a CLEC to supp. the order?

23 MR. GRUBER: Yes.

24 MS. CARPINO: I believe our record

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1 A. [SEARS] I think the answer on that one is:
2 If in fact after the hour of cooperative testing or
3 the cooperative effort that's designed to allow the
4 circuit to be turned up, if after that hour the
5 technician still believed he had the wrong --
6 believed he had the right cable pair and in fact
7 didn't, then that would get coded as a supp., the
8 due date would be pushed. It's unclear to me that
9 any kind of work effort would happen after that
10 hour. The technician would go on to his next
11 assignment. So it's unclear to me that anyone would
12 actually find out that he was looking at the wrong
13 cable and pair.

14 But if that hypothetical happened, yes.
15 in theory you could have a CLEC supp. when in fact
16 there truly was dial tone on the facility. It just
17 seems like there's an awful lot of steps that are
18 designed to mitigate that from happening in the real
19 world.

20 Q. Did you investigate whether Bell Atlantic
21 had any procedures in place to go back and record
22 that information that's later developed in this
23 hypothetical, that the Bell Atlantic technician was
24 looking at the wrong cable and pair?

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1 indicates, when we had the Verizon witnesses here,
2 last week or maybe a week and a half ago now, that
3 they don't ask CLECs to supp. If they're not able
4 to meet a deadline or a due date, they score that as
5 a miss.

6 WITNESS SEARS: That's our experience as
7 well.

8 MR. GRUBER: Well, that's a disputed
9 issue on the record. The AT&T witnesses indicated
10 that they are requested to supp. an order.

11 Q. Let me give you another example. Let's get
12 out of that hypothetical, because that didn't work.
13 Suppose on the day of the cut that the Bell Atlantic
14 technician is unable to find CLEC dial tone, reports
15 it to the CLEC, and as a result the CLEC requests to
16 supp. the order for that reason. Suppose further
17 that it's recorded in the Bell Atlantic WFA log as a
18 CLEC supp. as it happened. And then suppose further
19 that it turns out upon investigation that the Bell
20 Atlantic technician was looking at the wrong cable
21 and pair for dial tone. Did you investigate whether
22 Bell Atlantic's systems were designed to capture
23 that event in the performance metrics?

24 (Pause.)

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1 A. [SEARS] Just from going through the
2 scenario, it's unclear to me -- and Verizon knows
3 this much better -- that they would actually obtain
4 that information, because that cut would be pushed
5 and that technician would move on to another order.
6 He wouldn't spend additional time trying to figure
7 out what happened with that order.

8 Q. So in your view it's unlikely that the
9 procedures that Bell Atlantic has would capture that
10 scenario.

11 A. [SEARS] In the unlikely event that that
12 scenario actually happened, it's unclear to me how
13 the CO technician would actually know that he was
14 looking at the wrong cable and pair -- because he
15 spent an hour trying to get the problem resolved, he
16 didn't get the problem resolved, he's going to go on
17 and work his next ticket. So there's not going to
18 be this kind of aftermath effort.

19 Q. Now, with respect to what I've called the
20 second major purpose of the metrics investigation,
21 which is your investigation of whether Bell Atlantic
22 actually calculated the numbers using the
23 definitions in the New York C2C metrics: Would it
24 be fair to say that you're essentially checking

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1 whether Bell Atlantic's algorithms are consistent
2 with the C2C definitions and whether its arithmetic
3 is accurate?

4 (Pause.)

5 A. [SEARS] Fundamentally what we do is, we
6 assure two things: that the plain-English
7 definitions of the metrics are consistent with the
8 carrier-to-carrier guidelines; and furthermore, that
9 the metrics are calculated in accordance with the
10 algorithms. So algorithm to plain-English
11 definition: raw data through the algorithm to the
12 reported result.

13 Q. And your investigation is not intended to
14 determine whether the metrics measure Bell Atlantic
15 performance that matters to CLECs, is it?

16 A. [SEARS] I'm trying to understand your
17 question.

18 Q. Let me put it another way, then. Your
19 investigation was limited to accepting the metrics
20 as they're defined and determining whether the
21 algorithms are consistent with it and did not
22 include whether the metrics properly measure Bell
23 Atlantic performance.

24 A. [SEARS] We did not assess whether the

1 of metrics that were required. But again, we did no
2 independent validation as to, let's say, the
3 relevance of the metrics to CLECs.

4 Q. Now, with respect to the third purpose that
5 I mentioned -- and I think you've categorized them
6 slightly differently -- which is Bell Atlantic's
7 ability to collect, maintain, and process data
8 required by the performance metrics: Could you
9 explain what that investigation involved?

10 A. [FOSTER] We investigated through interviews
11 whether Verizon had systems in place to collect,
12 maintain, and store data and accurately calculate
13 the metrics.

14 Q. In reviewing your report, I found that KPMG
15 uncovered a number of instances in which data
16 backup, recovery, or retention processes were
17 lacking. Is that fair?

18 A. [FOSTER] Can we speak specifically?

19 Q. Sure. I can give you several examples.
20 Page 635. It's in the box relating to test
21 PMR-1-2-6, which starts on the prior page. You
22 indicate that there's no policy in effect for the
23 storage of data, right down there towards the end,
24 in connection with Bell Atlantic's storage of paper

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1 metric in our opinion was a proper assessment of
2 Bell Atlantic's performance.

3 Q. And you did not investigate or attempt to
4 validate the metric results, even if properly
5 calculated, against CLEC experience? That was not
6 part of your investigation?

7 A. [SEARS] Let me ask a clarifying question.
8 Is what you're asking is did we attempt to see
9 whether the experience the CLECs were seeing was
10 congruent with the metrics results that are being
11 reported?

12 Q. No, that's not my question. My question is
13 whether the metric results are measuring performance
14 that has an impact on CLECs' ability to provide
15 service to its end users.

16 A. [SEARS] Let me try again. Are you asking
17 me if I was trying to assess whether Verizon
18 calculates data on metrics that matter?

19 Q. To CLECs.

20 A. [SEARS] To CLECs.

21 Q. Yes.

22 A. [SEARS] The answer is no, we accepted that
23 the metrics came out of the New York proceeding, in
24 which I believe there was CLEC input as to the kinds

1 copies.

2 MS. CARPINO: Mr. Gruber, I'm sorry,
3 what was your question?

4 MR. GRUBER: Well, the question, if we
5 go back, was whether KPMG uncovered instances in
6 which data backup, recovery, or retention processes
7 were lacking. I was asked to give an example, and I
8 did. I can give some more examples, too.

9 (Pause.)

10 A. [SESKO] I guess it's our understanding that
11 in the service-order accuracy metrics there was no
12 policy for storing data. It did not, however,
13 impact our ability to actually test, execute, test
14 PMR-1-2-6.

15 Q. Let me direct you to a few other instances
16 and then ask you a question. What I'll do is, I'll
17 ask you a question in light of the various instances
18 in which you uncovered a lack of processes for
19 storage or maintenance of data, is there anywhere
20 that your test is designed to capture and show that.
21 I'll point you to a couple of others, or more than a
22 couple of others.

23 On Page 640, in PMR-1-7-5 you note that
24 Bell Atlantic retains physical printed copies of raw

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1 data which are adequate but subject to capacity
2 constraints. Then you further state that there was
3 a memory error during the month of January which
4 caused the loss of some data and that the memory
5 error was subsequently estimated for the data that
6 had been lost during the month.

7 And on Page 641, in the beginning of the
8 next-to-last paragraph, you note that Bell
9 Atlantic - Massachusetts was unable to reproduce its
10 own calculations because the data had not been saved
11 or the code had been changed.

12 A. [SEARS] Can you give me a page reference,
13 please?

14 Q. That's on Page 641.

15 A. [SEARS] Yes.

16 Q. And on Page 658 you note that, on the test
17 PMR-1-4-8, you note that KPMG was unable to validate
18 metrics during December and January because the data
19 for those months had not been archived.

20 And on Page 660, again on PMR-1-4-11,
21 data for the metrics MR-1-02 and MR-1-05 had not
22 been archived during the test period and as a result
23 KPMG could not replicate the metric values.

24 I guess my question is: Given those

1 to cross-correlate the things that we talked about.
2 In every single one of these areas we've evaluated
3 their ability to collect data as satisfied. In a
4 number of the comments, there are comments regarding
5 retention policies.

6 So it's clear that -- and maybe we
7 should reword these -- that these are not only to
8 collect data, but actually to retain or store data.

9 Q. And I guess what I'm trying to understand
10 is, is there any way for your analysis, which is, as
11 you point out, broken up into these different
12 categories, to look at the cumulative effect of
13 findings that with respect to any one category may
14 be immaterial but cumulatively may be material?

15 A. [SEARS] There was only one instance in the
16 whole study where we were unable to replicate
17 metrics where we would have preferred to replicate
18 metrics, and that was because of the nonarchived
19 data for December and January for Caseworker.
20 That's one instance out of probably hundreds that we
21 could do for the months of December, January,
22 February. Our assessment is that these errors are
23 isolated and not systematic.

24 Q. Did you determine what the cause of the

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1 instances -- and I don't purport to be exhaustive
2 here -- is there anyplace in your report where
3 cumulatively you report on Bell Atlantic's data
4 maintenance and retention processes?

5 A. [SEARS] I think I'd refer you to PMR-1-1-5,
6 which is the evaluation criteria BA has adequate
7 capacity to collect data.

8 Q. What page is that on?

9 A. [SEARS] I'm sorry, I'm looking at the
10 wrongly paginated version. (Pause.) That would be
11 on Page 633 of our report.

12 Q. As I read this, it looks like it's designed
13 to address computer capacity to collect data, and a
14 couple of the instances to which I referred didn't
15 involve computer data. Also, I think it's a
16 question of processes for retaining and storing,
17 more than collecting.

18 (Pause.)

19 A. [SEARS] I mean, this particular evaluation
20 criteria appears in every section that I've looked
21 at of the performance-metrics report. It's 1-6-5 on
22 639. It's 1-7-5 on 640. It's 1-5-5 on 638. It may
23 be confusing because these criteria address
24 functional areas, not systems. So it's kind of hard

1 missing data was?

2 A. [SEARS] I think in that particular
3 instance, I think the explanation says that the data
4 for December and January was not archived and
5 February data was available to us. Did we do a
6 root-cause analysis beyond that? No, we did not.

7 Q. So you don't know if the reason why it
8 wasn't archived might not be still present and have
9 an effect going forward?

10 A. [SEARS] In that particular instance I do
11 not know that.

12 Q. Did you investigate the controls that Bell
13 Atlantic has in place regarding personnel access to
14 the performance-measure databases?

15 A. [SEARS] Yes, we did.

16 Q. Where is that in your report?

17 A. [SEARS] The evaluation of those procedures
18 would have been done in the PMR-1-1 sequences, and
19 it would change to be 1-2-1 and 1-3-1, et cetera,
20 where we talk about a policies-and-procedures
21 review. There is, however, no specific evaluation
22 criteria that evaluates the control or access to
23 those databases. We looked at the policies and
24 procedures for control or access to those databases.

1 VOL. 27, PAGES 5253-5410
2 COMMONWEALTH OF MASSACHUSETTS
3 DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY
4 DTE 99-271
5

6 TECHNICAL SESSION held at the Department of
7 Telecommunications and Energy, One South Station,
8 Boston, Massachusetts, on September 1, 2000,
9 commencing at 10:05 a.m., concerning:

10

11 VERIZON - MASSACHUSETTS
12
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19
20

21 ----- ALAN H. BROCK, RDR/CRR -----

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4

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23
24

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1 September 1, 2000 10:05 a.m.

2 PROCEEDINGS

3 MS. CARPINO: Let's go on the record.

4 Good morning. This is what I hope to be -- no
5 offense -- our last technical session. We're going
6 to start with Checklist Item 1, trunking. Joining
7 me this morning on the bench is Commissioner
8 Vasington.

9 Let's get right to it. Mr. Rowe, would
10 you like to introduce your witnesses?

11 MR. ROWE: Yes. Thank you. We have two
12 panelists today, Julie Canny and Donald Albert. Mr.
13 Albert will be adopting his testimony as well as
14 that of John Howard. Ms. Canny will be adopting her
15 testimony as well as that of Mr. Garbarino.

16 DONALD ALBERT and JULIE CANNY, Witnesses

17 MS. CARPINO: Do you swear or affirm
18 that the testimony you're about to provide will be
19 the whole truth?

20 THE WITNESSES: I do.

21 MS. CARPINO: And do you further adopt
22 statements you made before this Department in this
23 proceeding last fall as the whole truth?

24 THE WITNESSES: Yes.

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1 WITNESS ALBERT: I have one correction
2 to our August affidavit. I don't know if you want
3 to do that now.

4 MS. CARPINO: Sure. Let's do that now.

5 WITNESS ALBERT: This is a correction to
6 the supplemental checklist affidavits, the one dated
7 August 4th. And on Page 14, in Paragraph 32,
8 there's the second sentence, which begins, "For the
9 period March, 1999." That should be corrected to
10 read, "For the period March, 2000." That's it.

11 MS. CARPINO: Thank you.

12 Mr. Albert, you have a brief statement
13 or presentation you'd like to provide?

14 WITNESS ALBERT: Yes, I do. Take it
15 away?

16 MS. CARPINO: Take it away.

17 WITNESS ALBERT: Over the last year
18 there's been a large written record on trunking
19 that's been built by ourselves as well as AT&T.
20 However, there are 28 other CLECs that we have
21 interconnection trunks hooked up with today. Out of
22 those 28 other CLECs, there have been a couple of
23 them that over the course of the year have raised a
24 couple of issues, and we have dealt with and

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1 resolved and handled those issues.

2 But with all the record material that's
3 been created, I think it's important to try to step
4 back and to look at the big picture. If you look at
5 all that we've accomplished, I believe what we've
6 accomplished with interconnection trunking is really
7 a remarkable wowie-zowie. Put that in perspective.
8 At the end of July we have 290,000 interconnection
9 trunks in service between ourselves and CLECs.
10 During the year 2000 those trunks have carried 13
11 billion minutes of use.

12 Now, to put those big numbers -- that's
13 a lot of hamburgers -- into perspective, within our
14 own Massachusetts network we have got 400,000 local
15 interconnection trunks in service now, which we have
16 built over a period of 100 years. So not only do we
17 have a lot of trunks, not only do we have a lot of
18 interconnection trunks, but the ones that we have
19 out there are basically loafing. We have got a ton
20 of spare capacity in place for CLECs to be able to
21 add new customers.

22 Now, for the trunks that Verizon is
23 responsible for, we measure and we engineer our
24 operational performance based on utilization. And

1 WITNESS ALBERT: That's correct.

2 That's pretty much it for the big
3 picture. With interconnection trunking, it is a
4 rather unique checklist item. It's unique in the
5 regard that it is a two-way street. It requires
6 both Verizon and the CLECs, both parties, to do a
7 number of different steps, a number of different
8 activities. With the complexities of the number of
9 steps -- both parties have to build transport, both
10 parties have to build trunks. And because of the
11 complexities and because of the interactions, it's
12 normal that there are some bumps in the roads and
13 that there are some snags that happen along the way.
14 This has been the case for interconnection trunking
15 that we've built with IXCs for the last 15 years.
16 It's also the case with interconnection trunking
17 that we build with CLECs.

18 But what we've tried to do in the record
19 is, we've tried to 'fess up to the snags that are
20 Verizon's fault. We've also tried to show that they
21 are minimal or that they're isolated. And we've
22 also in some cases taken corrective action where
23 there have been minor process tweaks that we've had
24 to do.

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1 utilization is the ratio of the load that a trunk
2 group is actually carrying divided by the load that
3 it's designed to carry.

4 To put that into context, even if you're
5 operating at 100 percent utilization, which sounds
6 high, it really isn't. 100 percent utilization
7 means that you're carrying the load that that trunk
8 group is designed to carry. Operating at 100
9 percent utilization means that you're providing an
10 excellent grade of service with an imperceptible
11 B.005 level of busy-hour call blocking.

12 Currently, if you look at the trunks
13 carrying traffic from Verizon to CLEC customers, we
14 are operating in an overall utilization in
15 Massachusetts of 38 percent. This is way below what
16 we operate at within our own Verizon-to-Verizon
17 network today.

18 MS. CARPINO: And over what period of
19 time is that 38 percent?

20 WITNESS ALBERT: That's a snapshot as of
21 July. But it's been pretty stable for throughout
22 2000.

23 MS. CARPINO: The 38 percent is a July
24 month figure?

1 Next I'd like to address kind of the
2 ongoing volley of affidavit and record-request
3 information between ourselves and AT&T on the topic
4 of trunk provisioning. I guess really to get to the
5 crux of it, pretty much AT&T says according to their
6 measures and their records we stink. We say no, we
7 don't.

8 The thing I've been able to do is, we've
9 reviewed material that AT&T provided in response to
10 DTE Record Requests 1-1, 1-2, and 1-3. At the same
11 time, for those trunk orders also we've gone back
12 and looked at our own data. With Verizon's numbers,
13 we count and we measure and we record and we report
14 the same way in Massachusetts as we have done and as
15 we do do in New York.

16 But from our review, I believe that
17 there are three main problems with the numbers that
18 AT&T has developed and presented. The first problem
19 is, their records are not as complete as ours are.
20 In response to Record Request No. 234, they've
21 basically said that they don't track supplements or
22 customer-not-readys, CNRs, or firm order
23 confirmations, FOCs.

24 The second item is what Verizon counts

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1 as a trunk order is an order. What AT&T counts as
2 an order isn't an order, it's a DSL.

3 The third problem, last one -- and I
4 guess this really relates most to the aspects of
5 missed appointments and due-date changes -- Verizon
6 uses the due date that we provide to the CLEC on the
7 firm order confirmation. That is the due date.
8 What it appears to me AT&T is using is just kind of
9 weird. It appears to me that they are using the
10 desired due date from the desired-due-date field of
11 the ASR.

12 Now, that's not the due date, and that
13 has a big impact, particularly where it comes to
14 projects. A project is a grouping of somewhat
15 homogeneous trunk orders, that we schedule and that
16 we manage and that we work collectively. The
17 situation we have is, in 2000 we have done a number
18 of projects with AT&T, and in a project, basically
19 when you get together and start to do the initial
20 planning, when we issue an ASR for the trunks that
21 we're going to order from the CLEC, in the desired-
22 due-date field we'll put in a tentative placeholder
23 of 60 days. Now, that's not the due date; that's a
24 tentative placeholder. The actual due dates are

1 WorldCom's credit, I will say that they are usually
2 out ahead of the curve when it comes to network
3 planning, when it comes to provisioning, in advance
4 of actual demand.

5 Now, for these four projects, the
6 arrangement that we have in place today is that when
7 Verizon customers call WorldCom, the trunks that we
8 have in place today reach the WorldCom customers by
9 going through Verizon's access tandems. And in
10 fact, for these four different projects that
11 WorldCom provided information on, the trunk groups
12 that we have for Verizon customers to call the
13 CLECs, the utilization on those trunk groups are
14 ranging from less than 1 percent to 15 percent, with
15 plenty of room to grow.

16 What these four projects are doing is,
17 they're establishing additional trunks, additional
18 capacity, on top of what's there, and they're
19 establishing it from the Verizon end offices
20 directly to the WorldCom switches to provide more
21 paths and to add additional routing to what exists
22 today.

23 MS. CARPINO: If the utilization rates
24 are that low, is it unusual that this planning is

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1 scheduled and set and established on our firm order
2 confirmations as we proceed with the actual stages
3 of the project and the actual scheduling. So that,
4 I think, is the third problem with the way that
5 they've counted and captured things.

6 So to draw back and look at the big
7 picture as it relates to AT&T, if you look at our
8 utilization in Massachusetts in July -- and it's
9 been pretty consistent for the year 2000 -- our
10 utilization for the trunks that are carrying traffic
11 from Verizon customers to AT&T is running 25
12 percent.

13 The last item: I'd like to respond to
14 some of the material that was recently provided by
15 MCI in DTE-WorldCom-1. In particular, they attached
16 information on four WorldCom projects where we,
17 Verizon, are building reciprocal trunking from our
18 Verizon end offices to WorldCom switches. When I
19 use the term "reciprocal trunking," that's pretty
20 much jargon that's evolved that describes the trunks
21 that carry traffic from us to the CLECs.

22 Now, in fact, these four projects that
23 they provided information on, they are more involved
24 than your average-bear project. Really to

1 happening now, or this early?

2 WITNESS ALBERT: Like I said, WorldCom
3 is usually way out far in advance of the needs
4 materializing. I can't criticize them for it, and I
5 think it's almost to their credit. But it is
6 unusual that it's that low, but I think they want to
7 get a lot of customers.

8 MS. CARPINO: Okay.

9 WITNESS ALBERT: So, on these four
10 projects we received the TGSRs, which stands for
11 trunk group service requests. Now, for these
12 projects, which are the trunks carrying traffic from
13 us to WorldCom, if they want to request additional
14 trunks that we're responsible for, they will issue
15 this form called the TGSR. For those four projects,
16 one of these TGSRs we got at the end of May, two of
17 them we got in the middle of June, one of them we
18 got in the first week of July.

19 Now, three of these projects -- I'll
20 talk about them collectively, and I'll give their
21 names. They're Boston 531, Cambridge 309, and
22 Cambridge 316. Now, they all have a common-
23 denominator complexity, the same one, involved with
24 them. What that is is, those projects are going to

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1 require us to build a new IOF SONET ring in order to
2 create transport from the Brockton access tandem to
3 Cambridge, that transport in turn being required to
4 then provision the trunks across that will ride from
5 all these end offices, which are pretty much in the
6 Plymouth and the Cape area, to get to the several
7 different WorldCom switches that are located within
8 Cambridge. With the fourth project, which is
9 Cambridge 416, there's a similar complexity, but in
10 this case we have to build a new SONET IOF ring from
11 Cambridge through Waltham, and that is to get to the
12 handoff point of the transport, which will be at the
13 collocation cage in Waltham.

14 So that's it for my MCI comments. I
15 guess just to wrap up the whole opening statement:
16 What we've got today in Massachusetts is 290,000
17 interconnection trunks up and working, and that's
18 connecting about 50 CLEC switches. If you look at
19 the utilization, we've got roughly 180,000 spare
20 trunks today in place that are available and waiting
21 to take growth in customer demand. When I look at
22 what we've done, I think it's probably the closest
23 thing that you'll find to an interconnection-
24 trunking field of dreams. We have built it, they

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1 My question is more general, though.

2 A. [ALBERT] Okay; I've got it.

3 Q. Do you include in your calculations the
4 trunks that carry traffic from Bell Atlantic to the
5 CLEC?

6 A. [CANNY] Yes.

7 Q. You do.

8 A. [CANNY] The definition of missed
9 appointments includes reciprocal trunks -- includes
10 all trunks, including reciprocal trunks.

11 Q. And those are trunk orders that, at least in
12 the case of AT&T, it's Bell Atlantic or Verizon
13 placing the order with AT&T; is that correct?

14 A. [CANNY] That's correct. It's basically to
15 deal with any reciprocal trunk that we may have
16 missed the appointment on, we would count that as
17 well, even though if it was purchased from the CLEC,
18 we're not measuring their performance, we're really
19 measure our own aspect of that reciprocal trunk.

20 Q. And that's included in the number.

21 A. [CANNY] That's correct.

22 Q. Mr. Albert, are you involved in the
23 provisioning of trunks?

24 A. [ALBERT] Yes. I work in the engineering

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1 have come, and we've got a lot more room for more of
2 them to come in place today.

3 MS. CARPINO: Thank you. Are there any
4 questions? Ms. Reed, do you have any questions?

5 MS. REED: None at this time. Thank
6 you.

7 MS. CARPINO: AT&T or WorldCom?

8 MR. GRUBER: I have a few questions.
9 Just a few.

10 CROSS-EXAMINATION

11 BY MR. GRUBER:

12 Q. Mr. Albert, the 290,000 interconnection
13 trunks, are those trunks designed to carry traffic
14 from CLECs to Bell Atlantic, from Bell Atlantic to
15 CLECs, or both?

16 A. [ALBERT] Both.

17 Q. Those are both.

18 A. [ALBERT] Yes.

19 Q. And when you measured your on-time
20 performance -- for example, on Paragraph 31 of your
21 May 26 affidavit, you state that the carrier-to-
22 carrier shows a 99 percent met due dates?

23 A. [ALBERT] This is the May 26th?

24 Q. Yes. I'm just taking this as an example.

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1 organization. My boss is the vice-president of
2 network engineering. We've got the engineers that
3 do the traffic engineering for the trunk groups,
4 that do the traffic planning for the switches, that
5 do the construction of the transport, the
6 interoffice facilities that the trunks ride across.

7 Q. Let's move past the planning part and just
8 focus on: What about the daily communication
9 between the CLECs and Bell Atlantic at the time and
10 just after an order is placed for a trunk? Do you
11 have any involvement in that?

12 A. [ALBERT] No. That's with our operations
13 organization. The split between provisioning and
14 engineering, the actual day-to-day implementation of
15 orders will occur within the operations provisioning
16 group. Where those two things blend is, if there's
17 a need for additional facilities to be placed in
18 connection with filling an order, then those merge
19 together, those functions. They're done at the same
20 time. The pure engineering piece is also then done
21 out in advance of the provisioning portion.

22 So it's kind of a continuum, where you
23 have provisioning within operations, which then also
24 flows into the engineering organizations.

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1 Q. Right. And what I want to do is, I want to
2 focus on -- let's for a moment keep it simple and
3 assume that there are facilities in place and that a
4 CLEC submits an ASR for a trunk; facilities exist.
5 I know that you don't have the direct, day-to-day
6 responsibility in this area, but at least tell us
7 your understanding of how that process works.

8 A. [ALBERT] Would you like me to do a trunk
9 that a CLEC orders from us or a reciprocal trunk
10 that we order from a CLEC?

11 Q. A trunk that a CLEC orders from you, first.

12 A. [ALBERT] It starts off with an ASR, an
13 access service request, coming in. We receive
14 within the operations provisioning organization the
15 access service request. The order is gone through.
16 If it's complete, it's got all the information on
17 it, it's built into our system. If it's incomplete,
18 if there are questions on it, we'll then in turn
19 then go back with the questions to the CLEC or to
20 the interexchange carrier.

21 Q. Can I just stop you and probe that one just
22 a little bit? How is that done? When you say "we
23 go back," can you just explain how that works?

24 A. [ALBERT] Either fax or phone call back to

1 usually handled in a collection. You're dealing
2 there with a number of different orders for the
3 creation of a new switch or for the rehome of a
4 tandem or something of that nature.

5 MS. CARPINO: Could you tell us a little
6 bit about Category 6, for special projects?

7 WITNESS ALBERT: The new Category 6.
8 Category 6, which appears in the exhibit that
9 summarizes the provisioning information in the
10 August 4th affidavit, those are really a special
11 type of project order, and the type of project order
12 they are are really ones that are non-service-
13 affecting. And for the most part they are less
14 time-sensitive. That's part of them being non-
15 service-affecting.

16 But in Category 6 we've tried to capture
17 orders that are changes to the network, that are
18 initiated by either party. But when I say a change
19 to the network, it's basically a case where you've
20 got existing trunks in place and you're doing
21 something to rearrange them. It could be that a new
22 access tandem has been added to the network, so that
23 you're doing a rehoming or a regrooming of traffic.
24 That would be an example of a Category 6-type order

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1 the CLEC that sent the order.

2 Q. How does Bell Atlantic know where to fax or
3 to whom to telephone?

4 A. [ALBERT] It comes in on the ASR, so there's
5 contact information included on there.

6 Q. I'm sorry. Go ahead.

7 A. [ALBERT] At that point then the order is in
8 the provisioning systems. Let me describe it as
9 like a Category 1 order. Those are a little bit
10 more straightforward. Those are the ones that are
11 set up to have an 18-day interval.

12 Q. First of all, there has to be a
13 determination, I take it, that it is a Category 1
14 order when it comes in; right?

15 A. [ALBERT] Yes.

16 Q. So I don't want to skip that step. I mean,
17 that's one of the steps that --

18 A. [ALBERT] Okay; we determine that it's a
19 Category 1 order.

20 Q. How that is determined?

21 A. [ALBERT] That's based on the parameters
22 that are in place for the five different categories
23 and for the five different provisioning intervals.
24 A project, which is the Category 3, those are

1 that Verizon would initiate. In fact, when you look
2 at the exhibit attached to the August 4th affidavit,
3 I think we had six Category 6 orders which are
4 initiated by us and which were of that nature.

5 The other type of a Category 6 order you
6 could have, which we did not have any of in that
7 reporting period, would be changes to the network
8 that were initiated by the CLEC. The best example
9 of that would be if they were doing different rolls
10 off of DS3 transport facilities; that would be a
11 rearrangement.

12 So the Category 6 was really an attempt
13 to group together the somewhat unique but similar
14 types of project orders which have non-service-
15 affecting aspects to them and are initiated by one
16 party or the other.

17 MS. CARPINO: When did you create this
18 category, again?

19 WITNESS ALBERT: Between the May 26
20 affidavit and the August 4th affidavit. They carry
21 the same type of an interval as any project. You
22 can really think of them as a subset of a project.
23 But because of the non-service-affecting aspect of
24 them, we wanted just to try to pull them out, to

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1 show them what they would look like unto themselves.
2 and not really have them embedded in with the
3 Category 3 numbers, just because they are different.
4 MS. CARPINO: Thank you. Mr. Gruber?
5 Q. Back to the step that we were at, where the
6 determination is made as to which category the order
7 belongs. Who makes that determination at Bell
8 Atlantic? Obviously not the name, but what are the
9 responsibilities of the person that does that?
10 Where in the Bell Atlantic operations organization
11 is that determination made?
12 A. [ALBERT] It's in the operations
13 provisioning organization. If you want the name,
14 Pam Cunningham is the director that has the group
15 that receives and begins the provisioning of the
16 orders.
17 Q. And it's her group, then, that determines
18 whether this looks like a Category 1, 2, 3, or
19 whatever order when it comes in?
20 A. [ALBERT] Or if it's a project.
21 Q. Well, that's Category 3; right?
22 A. [ALBERT] Right.
23 Q. Let's say, just so I understand this, her
24 group decides it's a Category 3 order. What does

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1 organizations, you begin the provisioning process
2 for both the DS1 transport piece of the trunk order
3 as well as the switch-hook piece of the trunk order.
4 The way a Category 1 order would work,
5 we have a standard of ten business days to get the
6 firm order confirmation back to the CLEC. That firm
7 order confirmation carries on it what the definite
8 due date is for the order. There's also other
9 provisioning and assignment types of information
10 that are included on there.
11 If you look at our performance reports,
12 you can get a handle for how we've been doing with
13 the Category 1 orders relative to the ten-day
14 standard. Many fall out four days, five days, six
15 days, when that firm order confirmation gets
16 delivered back to the CLEC.
17 From that point, while we have been
18 doing our provisioning, the CLEC has also been doing
19 things, too. These are proceeding in parallel. At
20 that point you've got a firm due date lined up
21 between the two parties. Like I said, we've got
22 somewhat independent provisioning paths for both the
23 transport piece and for the switch-hook piece. I
24 don't know the interrogatory, but there was one we

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1 she do with it? That it's part of a project.
2 A. [ALBERT] We're going to get into a little
3 bit of trouble here trying to intermix and talk
4 about process as one for Category 1 orders and for
5 Category 3 orders. They really are very different,
6 and the way that a project is handled and initiated
7 and managed is very different. So if we can
8 separate the two and make it....
9 Q. So let's go on with initially the Category 1
10 order.
11 A. [ALBERT] So we've made the determination
12 that it's a Category 1 order. It is then built into
13 our provisioning systems. It then begins to go
14 through a number of steps of getting equipment
15 assigned to it.
16 There are a lot of different pieces of a
17 trunk order. Probably the simplest way to break it
18 down is, there's the piece of the order where you're
19 building the DS1 transport facility. Then there's
20 the piece of the order where you're building the
21 actual terminations on the switch, the trunks, that
22 that DS1 will be connected up to.
23 So you then begin within our systems
24 flowing in through the operations and engineering

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1 answered at the technical conference which took some
2 of the different provisioning milestone dates and
3 laid those out relative to the 18-day interval.
4 Those occur for both the provisioning of the DS1 and
5 for the switch-hook piece.
6 If you get to the main one there's a
7 plant test date that's typically one or two days, I
8 forget which, before the actual due date. Then on
9 the firm due date itself we will call the CLEC to do
10 testing. Assuming the facility is built and test is
11 good on both ends, that order is then closed out and
12 completed and goes into service on the due date.
13 Q. Mr. Bolster reminds me that you haven't
14 explained yet what a Category 1 is. Just for the
15 record, can you explain that?
16 A. [ALBERT] In the affidavit, a Category 1
17 order is an addition to an existing trunk group of
18 less than 192 trunks that has been forecasted by the
19 CLEC in accordance with the forecasting process.
20 Q. The 18-day interval, when is the start date
21 of that and when is the end date? What triggers the
22 start and what triggers the end, what event?
23 A. [CANNY] The start date is the date that we
24 get the last valid ASR, and if it's been supp.ed,

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1 it's the date of the last supp.
2 Q. So the FOC is supposed to be issued within
3 ten days of Bell Atlantic's receipt of the ASR. Is
4 that business days or calendar days?
5 A. [CANNY] Business days.
6 Q. And the trunk order is to be completed
7 within 18 business days of receipt of the ASR; is
8 that correct?
9 A. [CANNY] That's correct.
10 Q. Now what I want to do is go back. I see
11 here that the different categories have different
12 intervals for their provisioning; is that correct?
13 A. [ALBERT] That's correct.
14 Q. So the provisioning intervals that we just
15 discussed were with respect to Category 1?
16 A. [ALBERT] Yes.
17 Q. I notice that Category 3 says "negotiated
18 interval"?
19 A. [ALBERT] That's correct.
20 Q. When does the CLEC learn whether the order
21 that it submitted is part of a project and being
22 characterized by Bell Atlantic as a Category 3
23 order?
24 A. [ALBERT] There will be a project meeting,

1 A. [ALBERT] Oh, yes, that's correct.
2 Q. Over how long a period of time might they be
3 submitted?
4 A. [ALBERT] I'll give you the old engineering
5 answer: It varies.
6 Q. Just kind of give me some rough ranges.
7 A. [ALBERT] For an extensive, large project,
8 those orders could be issued over a period of four
9 or five, six months. If it's a smaller project,
10 they could be issued over the course of a month or
11 two.
12 Q. And when the order that's issued, let's say,
13 three months after the project was first organized
14 and discussed by the two companies -- let's say an
15 order is made three months later. Does Bell
16 Atlantic consult with the CLEC to determine whether
17 the CLEC understands this to be part of that
18 project?
19 A. [ALBERT] Yes. The whole nature and focus
20 of a project are the interactions between the Bell
21 Atlantic project manager and the CLEC project
22 manager. A lot of the information grows and is
23 built and is managed on spreadsheets. In fact, if
24 you go back and you look at some of the AT&T

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1 which in some cases, depending on the scope and the
2 size, may be a conference call. Projects are
3 managed and handled more through interactions
4 between the two project managers. We'll have a
5 project manager who is still within the provisioning
6 operations organization, within Pam Cunningham's
7 director group. That Verizon project manager is
8 assigned to be the CLEC's point of contact and to
9 manage all of the orders associated with that
10 project within the internal Verizon provisioning
11 organizations.
12 Usually what happens is, the CLEC will
13 also have a project manager, and what you then have
14 are a number of meetings, a number of phone calls, a
15 number of contacts over time relative to the
16 provisioning and the status and the stages and the
17 steps of all of the individual orders that have been
18 grouped together under a particular project.
19 Q. These orders that have been grouped together
20 under a particular project, I can imagine that
21 they're not being submitted all on the same day; is
22 that correct?
23 A. [ALBERT] The orders?
24 Q. Yes.

1 information provided for the Data Requests 1-1, 1-2,
2 1-3, in there are examples of the spreadsheets that
3 lay out for each order provisioning information as
4 well as date type of information.
5 So those contacts and communications and
6 the management of the spreadsheet with that
7 information on it, that is done back and forth
8 between the individual project managers.
9 Q. And this is within the operations group on
10 both sides?
11 A. [ALBERT] That's correct.
12 Q. So in your view, from where you are, it's
13 your understanding that Bell Atlantic is -- well, to
14 put it bluntly, a CLEC should never be surprised to
15 find out that Bell Atlantic has categorized an order
16 as part of a project?
17 A. [ALBERT] When I read off the MCI projects,
18 each project is given a defined name, and then in
19 turn there are a group of orders that are collected
20 and handled there.
21 Now, what happens is, due to the nature
22 and the scope of a project, a lot of that changes
23 over time. A CLEC may change the orders that they
24 want to have involved. They may change the work and

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1 the scope and the nature of what's occurring. If
2 you're asking is it possible for there to be a
3 miscommunication between our project manager and a
4 CLEC project manager? Yes, that's possible. In
5 fact, it happens some. We try to minimize those
6 miscommunications by working off of the spreadsheets
7 and using that as a tool so that in writing both
8 parties know what is involved and what's going on.

9 Q. Now, another thing that determines that
10 decision that has to be made about which category
11 these things go into is the forecast; right?

12 A. [ALBERT] That's correct. That's a
13 component of the parameters.

14 Q. So Pam Cunningham's group gets the ASR and
15 has to decide whether this falls within the
16 forecasted-by-the-CLEC category or not; right?

17 A. [ALBERT] That's part of the determination.

18 Q. And how is that done?

19 A. [ALBERT] Based on if the CLEC has provided
20 a forecast or not and if the particular trunk orders
21 are in there.

22 I want to say trunk orders -- and I
23 think we've provided it for a data request. There's
24 a manual that basically lays out the information

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1 submits a perfect forecast, provides you with all
2 the detailed information regarding the trunks that
3 it's going to need over the next year, identifies
4 where they're going to go, but then over the course
5 of the year hasn't placed any orders, and another
6 CLEC has come in and placed a whole bunch of orders.
7 Now, does Bell Atlantic reserve space for the first
8 CLEC on the basis of the CLEC's forecast?

9 A. [ALBERT] I guess I would not use the word
10 "reserve" to describe how the process works. What
11 we'll do is, we'll take the forecasts that are
12 provided by the CLEC, we'll take our own internal
13 forecasts, and we basically aggregate all of that
14 and then use that as a guide for the infrastructure
15 additions that we do over time to our network.
16 Primarily it's driving -- when we do an addition to
17 a switch, those forecasts are driving the number of
18 trunk terminations that we'll provide to a switch.

19 When you do a capacity addition to a
20 switch, we don't go in and break up and say, "This
21 little piece of it is due to Service Demand X, and
22 this little piece of it is due to Service Demand Y,"
23 and so on and so on and so on, because there are a
24 multitude of different service demands that could

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1 that's provided as part of a forecast. So for each
2 trunk group that a CLEC either has in service or
3 that a CLEC will be establishing as new, there are
4 lines and there are certain items, certain
5 information that are developed and that are provided
6 using that forecasting template. That is a
7 standardized process that is used by all CLECs.

8 Q. At what level of detail must the CLEC have
9 forecasted a particular trunk in order for Pam
10 Cunningham's group to decide it is a forecasted
11 trunk when the order comes in for it?

12 A. [ALBERT] Basically at the trunk group, to
13 have the two end points nailed down.

14 My lawyer was whispering at me. It's
15 got to be the right type of trunk. There are
16 variations in the type of signaling you can have.
17 There are also variations on if it's 64-kilobit
18 clear or if it's MF. So besides the end points,
19 there are some other parameters that make a
20 difference. But it still relates back to it's got
21 to be the correct trunk group, of the right type,
22 and it has to have the same two end points,
23 basically.

24 Q. Now, let's assume we have a CLEC that

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1 potentially use that same capacity. What we use is
2 the aggregate forecast to then build a hunk of stuff
3 which, as it actually materializes over time, is
4 then used to satisfy those individual orders as they
5 individually materialize.

6 So make sure you've got it in
7 perspective, also: It's not just a matter of
8 saying, "Here's your forecast according to the
9 template and you're done and you're off to the
10 races." The forecast still has to be provided on a
11 timely basis. If a CLEC were to come in and give us
12 a perfect forecast on Tuesday, that's not going to
13 enable us to go out and to get the plant and the
14 equipment built so that they can order things on
15 Thursday.

16 Q. I think we're getting off the topic.

17 A. [ALBERT] But the timely is a critical piece
18 of the forecast, too.

19 A. [CANNY] Let me jump into the
20 categorization, because I sense that's where you're
21 going.

22 Q. Wait. I'd like to ask --

23 MS. CARPINO: Let's have Ms. Canny
24 follow up.